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C O N F I D E N T I A L SECTION 01 OF 02 SEOUL 11401
E.O. 12065: GDS 8/30/86 (MONJO, JOHN C., OR-M
TAGS: PINT, PGOV, SHUM, KS, US
SUBJECT: KIM DAE JUNG TRIAL (REPORT NO. 12)
REF: SEOUL 11302
1. (C) ENTIRE TEXT.
2. SUMMARY: THE PROSECUTION AND DEFENSE FINISHED WITH THE INITIAL QUESTIONING OF THE LAST OF THE DEFENDANTS THE AFTERNOON OF AUGUST 30. NONE OF THE TESTIMONY AUGUST 28 AND 29 WAS SURPRISING EXCEPT FOR THAT OF EX-NDP ASSEMBLYMAN LEE TAEK HON. LEE SAID THAT HE HAD BEEN "SURPRISED" TO LEARN OF KIM DAE JUNG'S LEFTIST CONNECTIONS AND THAT THE NEW DEMOCRATIC PARTY SHOULD "APOLOGIZE" FOR HAVING NOMINATED KIM FOR THE PRESIDENCY IN 1971. MOST OF THE DEFENDANTS WHO TOOK THE STAND AUGUST 28 AND 29 ADMITTED PROSECUTION CHARGES (THEY ARE ONLY CHARGED WITH VIOLATION OF MARTIAL LAW), MAINLY MEETINGS AND CONTACT WITH KIM DAE JUNG. CENSORSHIP OF THE FOREIGN
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PRESS REPORT WAS BRIEF, BUT STILL GOES ON. THE COURT RECONVENED AT 10:20 A.M. AUGUST 30 AND, AFTER BRIEF SUPPLEMENTAL QUESTIONING, THE PROSECUTION TURNED OVER TO THE DEFENSE A LIST OF THE EVIDENCE AND WITNESSES THEY WILL CALL. THE COURT, AFTER DENYING DEFENSE MOTIONS FOR MORE TIME, ORDERED THEM TO SUBMIT A LIST OF THEIR PROPOSED WITNESSES AND EVIDENCE AND SET THE NEXT SESSION FOR TUESDAY AT 10:00 A.M. END SUMMARY.
3. THE PROSECUTION AND DEFENSE FINISHED THE INITIAL QUESTIONING OF ALL THE REMAINING DEFENDANTS THE AFTERNOON OF AUGUST 30. THESE WERE (ALL M-R):
-- HAN SUNG-HON, EX-DIRECTOR OF THE KOREAN BRANCH OF
- AMNESTY INTERNATIONAL
-- YI HAE-TONG, A MINISTER
-- KIM YUN-SIK, VICE CHAIRMAN OF THE SOCIETY OF THE
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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY H. Teeple DATE 8/18/82
PORTIONS DENIED AS INDICATED

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-- FAMILIES OF POLITICAL PRISONERS
-- HAN WAN-SANG, SNU PROFESSOR
-- YU IN-HO, KOREA UNIVERSITY PROFESSOR
-- SONG CHONG-HO, EX-TONGA ILBO CHIEF EDITOR
-- YI HO-CH'OL, NOVELIST
-- YI TAEK-TON, EX-NEW DEMOCRATIC PARTY (NDP) ASSEMBLYMAN
-- KIM NOK-YONG, EX-DEMOCRATIC UNIFICATION PARTY (DUP)
- ASSEMBLYMAN

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4. ALL OF THE DEFENDANTS ARE CHARGED ONLY WITH VIOLATION OF MARTIAL LAW DECREES. IF CONVICTED, THE MAXIMUM SENTENCE IS THREE YEARS' IMPRISONMENT. ALL OF THE DEFENDANTS ADMITTED VIRTUALLY ALL THE PROSECUTION'S ASSERTIONS, WHICH WERE MAINLY CONCERNED WITH MEETINGS SUCH AS THE APRIL 16 ACADEMY HOUSE MEETING; THAT AT HAN SOK-HON'S (N-R) HOUSE MAY 8; AND THE PUNAK PARK HOTEL MEETING MAY 12. THE PROSECUTION ALSO CONCENTRATED ON RELATIONSHIPS WITH KIM DAE JUNG (N-R: KIM TAE-CHUNG), AND WHAT EACH DEFENDANT HAD DONE IN SUPPORTING KIM OR DOING SUCH THINGS AS DRAFTING SPEECHES FOR HIM.

5. THE MOST SURPRISING TESTIMONY WAS THAT OF EX-NDP ASSEMBLYMAN LEE TAEK DON (N-R: YI TAEK-TON). LEE SAID HE HAD BEEN "SURPRISED" WHEN THE PROSECUTION SHOWED HIM EVIDENCE CLEARLY LINKING KIM DAE JUNG WITH COMMUNISTS IN THE MID-40'S. "I FEAR WHAT MIGHT HAVE HAPPENED IF KIM HAD ACTUALLY BEEN ELECTED PRESIDENT". AND THE NDP SHOULD "APOLOGIZE" TO THE NATION FOR HAVING NOMINATED KIM FOR PRESIDENT. KIM HAD LIED TO HIM ABOUT HIS IDEOLOGY, SAID LEE, AND SHOULD HAVE KNOWN THAT SOME MEMBERS OF THE "HANMINTONG" (TWO WERE MENTIONED BY NAME) WERE COMMUNISTS. FORMER POLITICAL COUNSELOR WILLIAM CLARK THEN GOT A MENTION. DISCUSSING U.S. REACTION TO STUDENT DEMONSTRATIONS, LEE SAID KIM COMMENTED HE WOULD ASK CLARK ABOUT IT.

6. EX-DUP ASSEMBLYMAN KIM NOK-YONG, LOOKING VERY SICK (PRESUMABLY FROM HIS HEART CONDITION), ADMITTED THAT HE HAD GIVEN KIM DAE JUNG 200,000 WON FROM JAPANESE DIETMAN UTSUNOMIYA TOKUMA. KIM NOK-YONG, LIKE KIM DAE JUNG, IS FROM CHOLLA NAMDO, AND ADMITTED THAT HE SUPPORTED THE LATTER MAN BECAUSE OF THIS AND BECAUSE HE HOPED TO

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C O N F I D E N T I A L SECTION 22 OF 22 SEOUL 11401
STRENGTHEN HIS SPLINTER PARTY IF KIM DAE JUNG CAME TO
POWER.

7. THE LAST WITNESS QUESTIONED WAS YI HAE-TONG. YI SAID THAT HE HAD WORKED FOR A "CHRISTIAN DEMOCRACY", AND TO THIS END HAD MET SEVERAL OF THE CODEFENDANTS. YI SAID THAT HE HAD BEEN AIDED IN HIS EFFORTS BY VARIOUS CHURCHES AND THE URBAN INDUSTRIAL MISSION (UIM). AFTER YI'S TESTIMONY, THE PROSECUTION BROUGHT IN ALL THE OTHER DEFENDANTS ACCUSED OF MARTIAL LAW VIOLATIONS AND THE LAW OFFICER SUMMED UP WHAT THEY HAD SAID. FOLLOWING THIS, THE GROUP WAS LED OUT. AND THE OTHER 13 DEFENDANTS, INCLUDING KIM DAE JUNG, WERE BROUGHT IN AND THE LAW OFFICER VERY BRIEFLY WENT OVER THE TESTIMONY OF EACH. AS COURT WAS ADJOURNED AT 4:45 P.M. AUGUST 28, ONE OF THE WOMEN IN THE COURT SHOUTED, "IT'S TERRIBLE TO CHEAT AN EX-PRESIDENTIAL CANDIDATE LIKE THIS JUST FOR POLITICAL ACTIVITY". SHE SHOUTED OTHER SLOGANS AS SHE WAS HUSTLED FROM THE COURTROOM, AND MUN IK-MAN'S WIFE SHOUTED "STAY HEALTHY, HUSBAND" AS THE DEFEN-DANTS WERE LED OUT. THESE OUTBURSTS WERE HANDLED WITH

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RELATIVE RESTRAINT AND GOOD HUMOR BY THE POLICE.

8. THE COURT RESUMED AT 12:20 A.M. AUGUST 32, WITH ALL 24 DEFENDANTS IN THE COURTROOM. THE LEGAL OFFICER OPENED WITH A BRIEF SUMMARY OF THE KEY POINTS OF THE DEFENDANTS' TESTIMONY. HE THEN ASKED IF THERE WERE ANY SUPPLEMENTAL QUESTIONS. THERE WERE A FEW BRIEF QUESTIONS BY BOTH PROSECUTION AND DEFENSE OF A NUMBER OF DEFENDANTS, BUT NOT KIM DAE JUNG. NOTHING OF GREAT SIGNIFICANCE WAS SAID, BUT THERE WERE SOME INTERESTING EXCHANGES. FOR EXAMPLE, THE PROSECUTION ASKED YI MUN-YONG IF HE HAD TOLD A REPORTER THAT THE NATIONAL ALLIANCE WAS A POLITICAL ORGANIZATION. YI REPLIED THAT HE COULDN'T RECALL BUT THAT HE ASKED, WAS WRONG WITH BEING POLITICAL? IN OTHER

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EXCHANGES, SO NAM-TONG SAID THAT HE DID NOT KNOW THAT HE HAD BEEN APPOINTED AS A BOARD MEMBER OF THE DEMOCRATIC CONSTITUTIONAL ADMINISTRATION ASSOCIATION; KIM CHONG-MAN SAID HE NEVER DISCUSSED LEADING STUDENT DEMONSTRATIONS AND HAD NEVER ADVOCATED OVERTHROWING THE GOVERNMENT BY FORCE.

9. AFTER A SHORT RECESS, WHICH HAD BEEN REQUESTED BY THE PROSECUTION, THE LAW OFFICER ASKED IF THE DEFENSE HAD ANY MORE QUESTIONS. A NUMBER OF DEFENSE COUNSELS, LED BY KIM IAL JUNG'S CHIEF LAWYER, HO KYONG-MAN, SAID THAT THEY COULDN'T CONTINUE QUESTIONING WITHOUT ACCESS TO THE "RECORD". THE LAW OFFICER ASKED IF THE PROSECUTION HAD ANY MORE QUESTIONS. PROSECUTION ANSWERED NO. THE LAW OFFICER THEN ORDERED BOTH PROSECUTION AND DEFENSE TO SUBMIT LIST OF EVIDENCE AND WITNESSES. HO ASKED FOR A TWO-DAY RECESS SO THAT THE DEFENSE COULD EXAMINE THE RECORD. THE COURT REFUSED THE RECESS, BUT ORDERED THE PROSECUTION TO TURN OVER ITS LIST IMMEDIATELY. THE PROSECUTION HANDED ITS LIST TO THE DEFENSE AND THE COURT WAS ADJOURNED AT 11:25 UNTIL 10:00 A.M. TUESDAY, SEPTEMBER 2.

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11. THERE WAS VERY LITTLE OBSERVER OR FOREIGN PRESS POOL REPORTS THE PAST TWO DAYS, BUT ONE AMERICAN NEWSMAN TOLD US A COUPLE OF INCONSEQUENTIAL ITEMS HAD BEEN CUT.

GLEYSTEEN

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